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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DOAN, TRANG T	

ART UNIT	PAPER NUMBER
2131	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/502,309	VETILLARD, ERIC	
	Examiner	Art Unit	
	Trang Doan	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 February 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed on 02/16/2007.

2. Claims 1-9 have been amended; claims 1-9 are pending for consideration.

Response to Arguments

3. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

4. The Examiner maintains the rejections under Section 112.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. The following words or phrases are not clearly understood rendering the corresponding claims vague or indefinite:

a) "wherein the representative of authority is **inserted permanently into the network**". The Examiner interprets this limitation as best understood. Appropriate correction is required.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Urien (US 2002/0138549) (hereinafter Urien) in view of Doe et al. (US 7043643) (hereinafter Doe).

10. Regarding claim 1, Urien teaches a method of securing messages exchanged over a data transmission network between a server (1) and a small client (2), the small client comprising a smart card or a mobile communication system, wherein the small client does not have the resources necessary for providing security functions, the method being performed under the control of an authority that defines message exchange rules, the method comprising providing control in a decentralized manner by a representative (3) of the authority, and setting up communication between the client and the server only via the representative of the authority, wherein the representative of the authority is inserted permanently into the network in the vicinity of the client (2) and between the server (1) and the client (2) during the secure exchange of messages, and wherein the representative of the authority translates messages transmitted between the server and the client and applies verifications decided on by the authority to said transmitted messages (Urien: see figure 6 and Abstract section and paragraphs [0043, 0157, 0153, 0216-0218]).

Not specifically described in detail in Urien are the steps a representative of an authority inserted permanently between the client and the server and communication is set up between the client and the server only via the representative of the authority.

However Doe, in an analogous art, teaches a representative of an authority inserted permanently between the client and the server and communication is set up between the client and the server only via the representative of the authority (Doe: see figure 1 item 110 and column 6 lines 45-48 and column 8 lines 34-58: item 110 is a hub that includes a card reader is equivalent to the representative of the authority, the hub controls the communication between a smart card and a computer).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the procedure in Urien by including the hub (i.e. the representative of the authority) in between the smart card and the computer (i.e. server) as taught by Doe, because such modification would solve the problems of the prior art to provide a convenient and portable solution to secure sensitive data and authenticate data integrity thereby validating the source and state of the data (Doe: column 2 lines 47-50).

11. Regarding claim 2, Urien in view of Doe teaches a first protocol (P) for exchanges between the server (1) and the representative (3) of the authority, and using a second protocol (P') different from the first protocol (P) for exchanges between the representative (3) of the authority and the client (2) (Urien: see figure 6 and paragraphs [0049-0051, 0077, 0083]).

12. Regarding claim 3, Urien in view of Doe teaches setting up a first secure channel (4) between the server (1) and the representative (3) of the authority, using a first key (Ks) known to the representative (3) of the authority and to the server (1) but not to the client (2), and using a first encryption algorithm (AL), and setting up a second secure channel (5) between the representative (3) of the authority and the client (2), using a second key (Kc) known to the representative (3) of the authority and to the client (2) but not to the server (1), and using a second encryption algorithm (AL') (Urien: see figure 6 and paragraphs [0157, 0193, 0219, 0244-0245, 0247, 0252-0253]).

13. Regarding claim 4, this claim has limitations that is similar to those of claim 1, thus it is rejected with the same rationale applied against claim 1 above.

14. Regarding claim 5, Urien teaches wherein the decentralized control device or representative (3) of the authority is a data processing microsystem secured by hardware, inserted permanently between the server (1) and the client (2) during the exchange of messages (Urien: see figure 6 and paragraph [0247]).

Not specifically described in detail in Urien are the steps a representative of an authority inserted permanently between the client and the server and communication is set up between the client and the server only via the representative of the authority.

However Doe, in an analogous art, teaches a representative of an authority inserted permanently between the client and the server and communication is set up between the client and the server only via the representative of the authority (Doe: see figure 1 item 110 and column 6 lines 45-48 and column 8 lines 34-58: item 110 is a hub

that includes a card reader is equivalent to the representative of the authority, the hub controls the communication between a smart card and a computer).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the procedure in Urien by including the hub (i.e. the representative of the authority) in between the smart card and the computer (i.e. server) as taught by Doe, because such modification would solve the problems of the prior art to provide a convenient and portable solution to secure sensitive data and authenticate data integrity thereby validating the source and state of the data (Doe: column 2 lines 47-50).

15. Regarding claim 6, Urien in view of Doe teaches wherein: the server (1) is a data processing system comprising an input-output port (1a) (Urien: see figure 6 and Abstract section); the client (2) is a data processing microsystem comprising an input-output port (12) (Urien: see figure 6); the representative (3) of the authority is a data processing microsystem secured by hardware and comprising an interface device (13) (Urien: see figure 6 and Abstract section); a dedicated interface system (7) is provided, comprising an input-output port (8) connected to the input-output port (1a) of the server data processing system (1), comprising a card port (9) connected to the input-output port (12) of the client data processing microsystem (2), comprising an input-output port (10) connected to the interface device (13) of the representative (3) of the authority data processing microsystem, and comprising a controller (11) programmed to control communication between the input-output ports (8), (9) and (10) (Urien: see figure 6); the controller (11) and the representative (3) of the authority are programmed so that: the

server data processing system (1) sends a request A to the client data processing microsystem (2), and that request is received by the controller (11) (Urien: see figure 6 and paragraph [0247 and 0253]); the controller (11) transmits the request A to the representative (3) of the authority, which sends it back a response Ra (Urien: see figure 6 and paragraphs [0054, 0157, 0216, 0247 and 0253]); the controller (11) uses that response Ra to calculate a request A' that is sent to the client data processing microsystem (2) (Urien: see figure 6 and paragraphs [0054, 0157, 0216, 0247 and 0253]); the client data processing microsystem (2) processes the request A' to prepare a response B' (Urien: see figure 6 and paragraphs [0054, 0157, 0216, 0247 and 0253]); the client data processing microsystem (2) sends the response B' to the server data processing system (1) (Urien: see figure 6 and paragraphs [0054, 0157, 0216, 0247, 0253]); that response is received by the controller (11); the controller (11) transmits the response B' to the representative (3) of the authority, which sends it back a response Rb (Urien: see figure 6 and paragraphs [0054, 0157, 0216, 0247 and 0253]); the controller (11) uses that response Rb to calculate a response B that is sent to the server data processing system (1) (Urien: see figure 6 and paragraphs [0054, 0157, 0216, 0247 and 0253]).

16. Regarding claim 7, Urien in view of Doe teaches the client (2) is a first smart card; the representative (3) of the authority is a second smart card; the dedicated interface system is a smart card reader (7) comprising two card ports (9) and (10) (Urien: see figure 6 and Abstract section).

17. Regarding claim 8, Urien in view of Doe teaches wherein: the client (2) is a mobile communication system; the server (1) is a data processing system communicating with the client (2) via a physical connection or via a wireless communication network; the representative (3) of the authority is a smart card representing the operator of the wireless communication network (known as the SIM card in telephones conforming to the GSM standard) (Urien: see figure 6 and Abstract section and paragraphs [0004 and 0087]).

18. Regarding claim 9, Urien in view of Doe teaches the client (2) is a smart card; the representative (3) of the authority is a data processing system secured by hardware; the dedicated interface system (7) is a machine comprising a card port (9) and a dedicated input-output interface (10) for connection to the representative (3) of the authority data processing system (Urien: see figure 6 and Abstract section).

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang Doan whose telephone number is (571) 272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Trang Doan
Examiner
Art Unit 2131

AYAZ SHEIKH
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T.D.